

Case Unsealed on 8/18/09.

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U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

June 2008 Grand Jury

'09CR 2709BTM

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHANSAMONE PHRAKOUSONH (1),
 aka Kilay,
VILAPHETH HAM PHRAKOUSONH (2),
 aka Hammer,
BOUALIVANH PHRAKOUSONH (3),
KHAMPHA PHRAKOUSONH (4),
KINNALON PHRAKOUSONH (5),
 aka Ting,
 aka Jenny,
NOY BOUCHALEUN (6),
KHAMLA PHOMPHILA (7),

Defendants.

Case No. '09CR 2709BTM

I N D I C T M E N T

Title 21, U.S.C., Secs. 841(a)(1)
and 846 - Conspiracy to Distribute
a Controlled Substance; Title 21,
U.S.C., Sec. 841(a)(1) -
Distribution of a Controlled
Substance; Title 18, U.S.C.,
Sec. 2 - Aiding and Abetting;
Title 21, U.S.C., Secs. 853(a)(1)
and (2), and Title 21, U.S.C.,
Sec. 853(p) - Criminal Forfeiture

The grand jury charges:

Count 1

Beginning on a date unknown and continuing up to and including
July 2009, within the Southern District of California and elsewhere,
defendants CHANSAMONE PHRAKOUSONH, aka Kilay, VILAPHETH HAM
PHRAKOUSONH, aka Hammer, BOUALIVANH PHRAKOUSONH, KHAMPHA PHRAKOUSONH,
KINNALON PHRAKOUSONH, NOY BOUCHALEUN and KHAMLA PHOMPHILA
did knowingly and intentionally conspire together with each other and

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1 with other persons known and unknown to the grand jury, to distribute
2 50 grams and more, of methamphetamine (actual), a Schedule II
3 Controlled Substance; in violation of Title 21, United States Code,
4 Sections 841(a)(1) and 846.

5 Count 2

6 On or about August 16, 2007, within the Southern District
7 of California, defendants CHANSAMONE PHRAKOUSONH, aka Kilay, and
8 KHAMPHA PHRAKOUSONH did knowingly and intentionally distribute
9 approximately 3.4 grams of a mixture and substance containing a
10 detectable amount of methamphetamine, a Schedule II Controlled
11 Substance; in violation of Title 21, United States Code,
12 Section 841(a)(1), and Title 18, United States Code, Section 2.

13 Count 3

14 On or about August 28, 2007, within the Southern District
15 of California, defendant VILAPHETH HAM PHRAKOUSONH, aka Hammer, did
16 knowingly and intentionally distribute 50 grams and more, to wit:
17 approximately 202 grams of methamphetamine (actual), a Schedule II
18 Controlled Substance; in violation of Title 21, United States Code,
19 Section 841(a)(1).

20 Count 4

21 On or about January 25, 2008, within the Southern District
22 of California, defendants CHANSAMONE PHRAKOUSONH, aka Kilay, and
23 BOUALIVANH PHRAKOUSONH did knowingly and intentionally distribute
24 5 grams and more, to wit approximately 9.3 grams of methamphetamine
25 (actual), a Schedule II Controlled Substance; in violation of
26 Title 21, United States Code, Section 841(a)(1), and Title 18, United
27 States Code, Section 2.

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Count 5

On or about February 2, 2008, within the Southern District of California, defendants CHANSAMONE PHRAKOUSONH, aka Kilay, and BOUALIVANH PHRAKOUSONH did knowingly and intentionally distribute approximately 3.4 grams of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance; in violation of Title 21, United States Code, Section 841(a)(1), and Title 18, United States Code, Section 2.

Count 6

On or about March 1, 2008, within the Southern District of California, defendant CHANSAMONE PHRAKOUSONH, aka Kilay, did knowingly and intentionally distribute 5 grams and more, to wit approximately 27.2 grams of methamphetamine (actual), a Schedule II Controlled Substance; in violation of Title 21, United States Code, Section 841(a)(1).

Count 7

On or about March 15, 2008, within the Southern District of California, defendant CHANSAMONE PHRAKOUSONH, aka Kilay, did knowingly and intentionally distribute 5 grams and more, to wit approximately 27.9 grams of methamphetamine (actual), a Schedule II Controlled Substance; in violation of Title 21, United States Code, Section 841(a)(1).

Count 8

On or about March 20, 2008, within the Southern District of California, defendants CHANSAMONE PHRAKOUSONH, aka Kilay, and NOY BOUCHALEUN did knowingly and intentionally distribute approximately 3.4 grams of a mixture and substance containing a detectable amount

1 of methamphetamine, a Schedule II Controlled Substance; in violation
2 of Title 21, United States Code, Section 841(a)(1).

3 Count 9

4 On or about April 12, 2008, within the Southern District
5 of California, defendants CHANSAMONE PHRAKOUSONH, aka Kilay, and NOY
6 BOUCHALEUN, did knowingly and intentionally distribute 5 grams and
7 more, to wit approximately 20 grams of methamphetamine (actual), a
8 Schedule II Controlled Substance; in violation of Title 21, United
9 States Code, Section 841(a)(1), and Title 18, United States Code,
10 Section 2.

11 Count 10

12 On or about May 1, 2008, within the Southern District
13 of California, defendants CHANSAMONE PHRAKOUSONH, aka Kilay, and NOY
14 BOUCHALEUN, did knowingly and intentionally distribute approximately
15 3.4 grams of a mixture and substance containing a detectable amount
16 of methamphetamine, a Schedule II Controlled Substance; in violation
17 of Title 21, United States Code, Section 841(a)(1), and Title 18,
18 United States Code, Section 2.

19 Count 11

20 On or about May 23 2008, within the Southern District
21 of California, defendants CHANSAMONE PHRAKOUSONH, aka Kilay, and NOY
22 BOUCHALEUN did knowingly and intentionally distribute 5 grams and
23 more, to wit: approximately 45.5 grams of methamphetamine (actual),
24 a Schedule II Controlled Substance; in violation of Title 21, United
25 States Code, Section 841(a)(1), and Title 18, United States Code,
26 Section 2.

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Count 12

On or about June 12, 2008, within the Southern District of California, defendants CHANSAMONE PHRAKOUSONH, aka Kilay, and NOY BOUCHALEUN did knowingly and intentionally distribute approximately 3.1 grams of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance; in violation of Title 21, United States Code, Section 841(a)(1).

Count 13

On or about June 28, 2008, within the Southern District of California, defendant CHANSAMONE PHRAKOUSONH, aka Kilay, did knowingly and intentionally distribute 5 grams and more, to wit: approximately 27.8 grams of methamphetamine (actual), a Schedule II Controlled Substance; in violation of Title 21, United States Code, Section 841(a)(1).

Count 14

On or about July 13, 2008, within the Southern District of California, defendant CHANSAMONE PHRAKOUSONH, aka Kilay, did knowingly and intentionally distribute 50 grams and more, to wit: approximately 112 grams of methamphetamine (actual), a Schedule II Controlled Substance; in violation of Title 21, United States Code, Section 841(a)(1).

Count 15

On or about August 1, 2008, within the Southern District of California, defendants CHANSAMONE PHRAKOUSONH, aka Kilay, and VILAPHETH HAM PHRAKOUSONH, aka Hammer, did knowingly and intentionally distribute 50 grams and more, to wit: approximately 112 grams of methamphetamine, a Schedule II Controlled Substance; in violation of Title 21, United States Code, Section 841(a)(1).

Count 16

On or about October 27, 2008, within the Southern District of California, defendant CHANSAMONE PHRAKOUSONH, aka Kilay, did knowingly and intentionally distribute approximately 27 grams of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance; in violation of Title 21, United States Code, Section 841(a)(1).

FORFEITURE ALLEGATION

1. The allegations contained in Counts 1 through 16 are realleged and by their reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 21, United States Code, Section 853.

2. As a result of the commission of one or more of the felony offenses alleged in this indictment, said violations being punishable by imprisonment for more than one year and pursuant to Title 21, United States Code, Section 853(a)(1), defendants CHANSAMONE PHRAKOUSONH, aka Kilay, and VILAPHETH HAM PHRAKOUSONH, aka Hammer shall, upon conviction, forfeit to the United States any and all property constituting, or derived from, any proceeds that the defendants obtained, directly or indirectly, as the result of the offenses, including but not limited to:

a. A 2004 Mercedes E Class Sedan, California license number 6DGE240, VIN# WDBUF76J94A508992;

b. A 1997 Toyota 4Runner, California license number 4XVY080, VIN# JT3GN87R9V0042729;

c. A 2001 Toyota Corolla, California license number 4RYD842, VIN# 1NXBR12E11Z538306.

1 3. As a result of the commission of one or more of the felony
2 offenses alleged in this indictment, said violations being punishable
3 by imprisonment for more than one year and pursuant to Title 21,
4 United States Code, Section 853(a)(2), defendants CHANSAMONE
5 PHRAKOUSONH, aka Kilay, and VILAPHETH HAM PHRAKOUSONH, aka Hammer
6 shall, upon conviction, forfeit to the United States any and all
7 property used or intended to be used in any manner or part to commit
8 and to facilitate the commission of the violations alleged in this
9 indictment, including but not limited to:

10 a. A 2004 Mercedes E Class Sedan, California license
11 number 6DGE240, VIN# WDBUF76J94A508992;

12 b. A 1997 Toyota 4Runner, California license
13 number 4XVY080, VIN# JT3GN87R9V0042729;

14 c. A 2001 Toyota Corolla, California license
15 number 4RYD842, VIN# 1NXBR12E11Z538306.

16 4. If any of the above-described forfeitable property, as a
17 result of any act or omission of the defendant

18 a. cannot be located upon the exercise of due diligence;

19 b. has been transferred or sold to, or deposited with, a
20 third party;

21 c. has been placed beyond the jurisdiction of the Court;

22 d. has been substantially diminished in value; or

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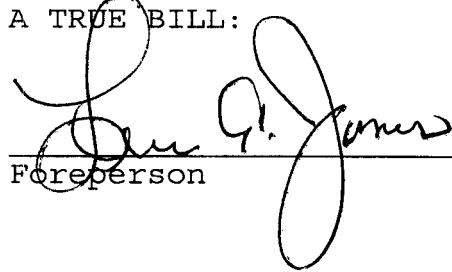
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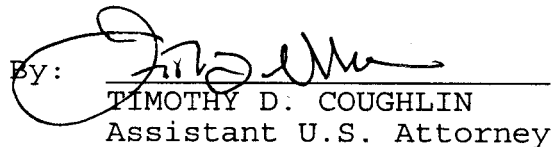
1 e. has been commingled with other property which cannot
2 be subdivided without difficulty; it is the intent of the United
3 States, pursuant to Title 21, United States Code, Section 853(p), to
4 seek forfeiture of any other property of the defendant up to the value
5 of the said property listed above as being subject to forfeiture.
6 All in violation of Title 21, United States Code, Section 853.

7 DATED: July 15, 2009.

8 A TRUE BILL:

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10 
11 Foreperson

12 KAREN P. HEWITT
13 United States Attorney

14 By: 
15 TIMOTHY D. COUGHLIN
16 Assistant U.S. Attorney
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